

IN THE UNITED STATES DISTRICT COURT

NORHTERN DISTRICT OF GEORGIA

R'ard
~~FILED~~ IN CLERK'S OFFICE
U.S.D.C. Atlanta

JUN - 6 2011

JAMES N. HATTEN, CLERK
By: *Cheryl Hatten* Deputy Clerk

TIFFANY WELLS,

*

Plaintiff,

*

-vs-

* Case No: _____

ENHANCED RECOVERY COMPANY, LLC

*

*

Defendant.

*

ADMENDED COMPLAINT

JURISDICTION

Jurisdiction of this court arises under 28 U.S.C. 1331 and pursuant to 28 U.S.C. 1367 for pendent state law claims.

This action arises out of Defendant's violations of the Fair Credit Reporting Act., 15 U.S.C. 1681, et seq' ("FCRA") , (FDCPA) Fair Debt Collection Practices Act.

Telephone Consumer Protection Act 47U.S.C. 227, "TCPA."

PARTIES

Plaintiff, Tiffany Wells., is a natural person residing in the State of Georgia, Her physical address is 2728 Sandalwood Circle Locust Grove, Ga. 30248

Defendant Enhanced Recovery Company, LLC does business in Florida and Georgia, and mailing address is 8014 Bayberry Rd. Jacksonville, Fla. 32256. The Registered Agent is Capital Corporate Services, Inc. And its address is 3675 Crestwood Parkway, Suite350, Duluth, and Ga.30096.

VENUE

Venue is proper in this district because the acts and transactions occurred here, and the Defendants transact business here.

FACTS

In March 2011, Plaintiff began receiving calls from Enhance Recovery concerning a debt with (A T and T). Plaintiff advised Enhanced Recovery that she wanted validation of the debt. Defendants reply was "you know you own the debt". Plaintiff asked Defendants not to call her again. The Reply was "we will call until we get a payment" on the account.

Defendants continued to call Plaintiff's cell phone , forcing Plaintiff to write the defendants asking for validation and requesting a cease and desist from the calls.

Over the next several weeks Defendants continued to call sometimes back to back and with an auto dialer.

Defendants ignored the Plaintiffs request to validate the debt and continued to call.

As a result of the Defendants activities or lack thereof the Plaintiff has suffered loss of self-esteem and peace of mind, and has suffered emotional distress, humiliation and embarrassment.

All actions taken by employees, agents, servants, or representatives of any type for Defendant were taken in the line and scope of such individuals' (or entities') employment, agency, or representation.

As a proximate consequence of the Defendant's' invasion of Plaintiffs privacy, Plaintiff has been caused to suffer severe emotional and mental distress, and the Defendants is liable to Plaintiff for actual, compensatory, and punitive damages, costs and any other and further relief deemed appropriate by this Court.

FDCPA CLAIMS

Plaintiff incorporates by reference all previous paragraphs.

In the entire course of their actions, Defendant willfully and/or negligently violated multiple provisions of the FDCPA in one or more respects.

Defendants refuse to validate the debt to plaintiff. 15U.S.C.1692g (a)

Defendants continued to call Plaintiff cell after being advised not to call sometimes back to back. 15U.S.C.1692d-5.

Defendants called Plaintiff s cell phone from an auto dialer in violation of the TCPA.

47U.S.C.227b (a) (iii).

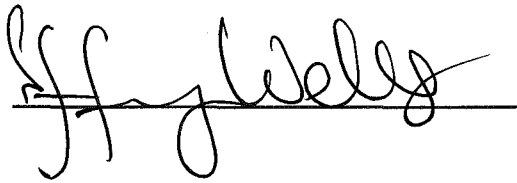
The foregoing acts and omissions were undertaken by Defendant willfully, intentionally, and knowingly as part of their routine debt collection business and/or in gross reckless disregard for the Plaintiffs rights.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that judgment be entered against the Defendant for the following:

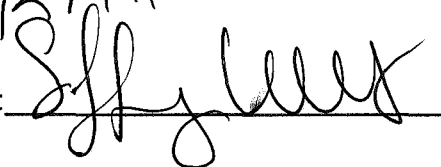
- (a) Actual damages.
- (b) Statutory damages
- (c) Costs and reasonable fees
- (d) Punitive damages
- (e) For such other relief as the court may deem just and proper.

Tiffany Wells/Pro Se:
2728 Sandal Wood Circle
Locust Grove, Ga. 30442
Wells. tdrm@gmail.com



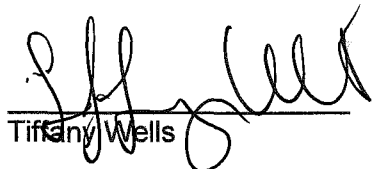
DEMAND FOR JURY TRIAL

Please take note that Plaintiff demands trial by jury in this action.

Date: 8/27/11
Signature: 

VERIFICATION

I, Tiffany Wells, do declare under penalty of perjury as delineated in 28 USC 1746 that the information contained herein is true and correct to the best of my knowledge. Executed this 27th day of April, 2011 in the State of Georgia, City of Locust Grove.


Tiffany Wells